

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

CLERK US DISTRICT COURT
NORTHERN DIST. OF TX
FILED

2014 DEC 16 PM 4:22

UNITED STATES OF AMERICA

NO.

DEPUTY CLERK

aaa

v.

DEREK HUTTER

3 - 14 CR - 495 - M

INDICTMENT

The Grand Jury Charges:

Count One

Attempted Production of Child Pornography
(Violation of 18 U.S.C. § 2251(a))

On or about August 15, 2014, in the Dallas Division of the Northern District of Texas, the defendant, **Derek Hutter**, attempted to use, persuade, induce and entice Jane Doe #1, a person under the age of 18 years, to engage in sexually explicit conduct for the purpose of producing visual depictions of that conduct, knowing and having reason to know that the visual depictions would be transported in interstate commerce. Specifically, **Hutter** while using his email account, derekhutter@hotmail.com, sent an email to Jane Doe #1, a minor girl 14 years of age, requesting that she produce visual depictions of herself depicting the lewd and lascivious exhibition of her genitals and send the images to him via text messaging.

In violation of 18 U.S.C. § 2251(a).

Count Two
Receipt of Child Pornography
(Violation of 18 U.S.C. § 2252A(a)(2))

On or about September 14, 2014, in the Dallas Division of the Northern District of Texas, the defendant, **Derek Hutter**, knowingly received child pornography that had been mailed, shipped, and transported in interstate commerce by any means, including by computer, by receiving email containing visual depictions of a minor engaged in sexually explicit conduct or the lewd and lascivious exhibition of the genitals as defined in 18 U.S.C. § 2256.

Specifically, **Hutter** received child pornography on his email account and the Internet, from another, including the following image files:

Image:	Description
photo 1.JPG	Lewd and lascivious still image of a naked minor girl. She is standing up looking in a mirror, with one arm over her head and the other arm holding a cell phone. Her genitals and breasts are exposed.
photo 2.JPG	Lewd and lascivious still image of a naked minor girl. She is standing up looking in a mirror. One hand is on her shoulder and the other is holding a cell phone. Her genitals and breasts are exposed.
photo 3.JPG	Lewd and lascivious still image of a naked minor girl. She is standing up looking in a mirror with her back against the wall. One hand is on her head and the other is holding a cell phone. Her genitals and breasts are exposed.

In violation of 18 U.S.C. § 2252A(a)(2)

Forfeiture Notice
(18 U.S.C. § 2253)

Upon conviction of any of the offenses alleged in Counts One and Two and pursuant to 18 U.S.C. § 2253(a), the defendant, **Derek Hutter**, shall forfeit to the United States of America (a) any visual depiction described in 18 U.S.C. §§ 2251, and 2252A, and any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped, or received in the respective offense; (b) any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from the respective offense; and any property, real or personal, used or intended to be used to commit or to promote the commission of the respective offense and any property traceable to such property.

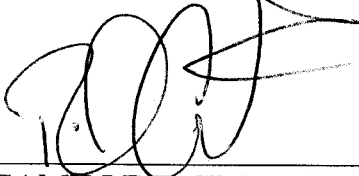
The above-referenced property subject to forfeiture from the previously-mentioned defendant includes, but is not limited to, any interest in the following:

1. One Samsung S4 Cellular telephone.

A TRUE BILL


FOREPERSON

SARAH R. SALDAÑA
UNITED STATES ATTORNEY



For: CAMILLE E. SPARKS
Assistant United States Attorney
Texas State Bar No. 00790878
1100 Commerce Street, Third Floor
Dallas, Texas 75242-1699
Telephone: 214.659.8600
Facsimile: 214.659.8809

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DALLAS DIVISION

THE UNITED STATES OF AMERICA

v.

3-14 CR-495-M

DEREK HUTTER

INDICTMENT

18 U.S.C. § 2251(a)
Attempted Production of Child Pornography

18 U.S.C. § 2252A(a)(2)
Receipt of Child Pornography

18 U.S.C. § 2253
Forfeiture Notice

2 Counts

A true bill rendered

DALLAS

Angela Brand

FOREPERSON

Filed in open court this 16 day of December, 2014

Clerk

WARRANT TO ISSUE: Derek Hutter

[Signature]
UNITED STATES DISTRICT/MAGISTRATE JUDGE

No Criminal Matter Pending